

OGC 73-0581

5 April 1973

MEMORANDUM FOR: Chief, Employee Activity Branch, Office  
of Security

ATTENTION:

STATINTL

SUBJECT:

Jury Service by Agency Employees

1. Among other things, [REDACTED] provides that personnel who are summoned for jury duty shall report immediately all pertinent information and circumstances to the Director of Security, through administrative channels, in order that suitable security measures can be taken. This memorandum provides guidelines with respect to jury service by Agency personnel in the various jurisdictions in the Washington Metropolitan Area.

STATINTL


2. Overt Employees: As a general rule overt employees of the Agency are expected to perform jury service when summoned. This Office will only seek exceptions to this rule in cases involving operational needs of the Agency. In these cases the request of an employee for an excuse from or postponement of jury service should be forwarded to the Office of General Counsel for appropriate action. The request should provide adequate information on why the excuse or postponement is being sought and should be signed by an appropriate official in his component. In personal hardship cases, employees should contact the appropriate judge directly rather than through the Office of General Counsel.

3. Covert Employees: Judges in most local jurisdictions have advised the General Counsel that covert employees should not serve on a jury. The judges have taken this position because these employees, if queried about their employment during the court proceedings, are not permitted to reveal the true nature of their

employment. Questions about employment are frequently raised during examination of prospective jurors to determine their competency. Thus, Agency employees who are required to maintain any type of cover status generally will not be permitted to serve on a jury. When such an employee is summoned to jury service, he should be directed to the Central Cover Staff, which will determine whether his cover status is still essential. (It is my understanding that the Central Cover Staff frequently determines that an employee's cover is not critical and that the employee can be made available for jury service.) If it is necessary for the employee to retain his cover status, he should forward his jury summons as soon as possible to the Office of General Counsel for appropriate action.

4. At present the Circuit Court of Montgomery County, Maryland, requires covert as well as overt employees of the Agency to perform jury service.

STATINTL

  
Assistant General Counsel

cc: CCS

  
OP

SSA/DDM&S

DDI/Admin

DDS&T/Admin

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